IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH;

AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

PRESENT;

THE HONOURABLE SRIJUSTICE R. SUBHASH REDDY

WRIT PETITION NO.22685 OF 2005

DATED: 24TH MARCH, 2006

Between

Hazarath Ameeruddin Academy of General

Technical, Professional and Educational Society,

Giddalur, rep. by its correspondent and Secretary

Smt. S.Mahatab. ….Petitioner

And

The Government of AP, rep. by its Secretary,

Minority Welfare Department, Secretariat, Hyderabad and ors.

…Respondents.
HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No. 22685 OF 2005

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ORDER:

The petitioner-Society has started college to impart B.Ed. course. It has obtained

necessary permission from the competent authority-National Council of Teacher Education to start such college. The petitioner-Society also submitted an application on 17-5-2004 to the first respondent for grant of Minority Status Certificate, in terms of the guidelines framed by the Government in G.O.Ms.No.1, dated 16-1-2004. It is the case of the petitioner, that though the petitioner-society was granted permission to establish such college by the National Council of Teacher Education from the academic year 2005-2006, but, the application of the petitioner for grant of Minority Status Certificate is not considered in accordance with the guidelines issued by the Government.

On instructions, it is submitted by the learned Government Pleader appearing for the first respondent, that as much as no report is received from the second respondent-Commissioner & Director of School Education, by making necessary inspection to the college, the first respondent has not taken any decision on the application filed by the petitioner.

On the other hand, it is submitted by the learned Government Pleader appearing for the second respondent that as much as no communication was received from the first respondent, no inspection was made and no report is submitted.

It is not in dispute that the petitioner-Society has made application to the first respondent, who is the competent authority to grant Minority Status Certificate to all the religious minority institutions in view of guidelines issued in G.O.Ms.No.1, dated 16-1-2004. A comprehensive reading of the guidelines issued in the said Government Order would show that the educational agency desirous of obtaining recognition to a particular institution as Minority Educational Institution has to make an application in the prescribed form to the competent authority, who has call for the report from the second respondent-Commissioner & Director of School Education and soon after receipt of the report, decision will be taken by the first respondent-Government. Inasmuch as the NCTE has granted permission to establish such

college and the petitioner-Society made application as early as on 17-5-2004, I dispose of the Writ petition directing the respondents to consider the application of the petitioner for grant of Minority Status Certificate and pass appropriate orders within a period of two months from the date of receipt of this order. If the communication is not yet received from the second respondent, it is for the first respondent to take necessary steps in the matter, as per the procedure contemplated in G.O.Ms.No.1, dated 16-1-2004.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATED: 24-03-2006.

Msnr